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ADDRESS

OF

HON. PHILANDER CHASE KNOX

AT A MASS MEETING

HELD UNDER THE AUSPICES OF

THE UNION LEAGUE

AT THE ACADEMY OF MUSIC, PHILADELPHIA

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### *My Fellow Citizens:*

The necessity for the people of the United States to be alert and to appreciate the full import of what they are about to do in the selection of a chief and vice-chief magistrate, members of the House of Representatives and, through their State elections, members of the United States Senate, was never greater than in this year 1908, when not only a change in personnel is proposed, but changes involving such departures from tried, tested, and approved policies of government as to reach to the very root of our system and to be in effect revolutionary.

One takes an extremely superficial view of the nature of the pending campaign

who contends that the sole issue involved is the choice between the characters and characteristics of the two gentlemen who respectively hold the nomination of the Republican and Democratic parties. If nothing more than this were involved, it would be an easy task for the conscientious and intelligent American voter to decide between the candidacy of Mr. Taft, an experienced and wise administrator of public affairs, who is backed by a record of public achievement and stern repression of his own apparent interests for the public good; and the candidacy of Mr. Bryan, who presents a career of vacillating and untenable radicalism conjoined with an entire willingness to advance his own political fortunes regardless of the public good and of the effect upon the institutions of his country of the Quixotic vagaries he affects.



It would be easy, I repeat, to make the choice and determine the duty if that were the only issue involved. But wholly aside from the personality of the candidates and assuming them to be of equal probity and ability; wholly forgetting the asperities of party controversy and struggle for place; entirely ignoring the personal factors in the national problem and approaching its solution with an eye single to our country's greatest good, the choice of right-minded men is just as easy and the duty is just as clear now as it was in 1860, when the Republican Lincoln was supported upon a platform which declared the threats of secession could only be regarded as "an avowal of contemplated treason which it is the imperative duty of an indignant people sternly to rebuke and forever silence;" as it was in 1864 when the same immortal

Republican was again sustained against the Democratic declaration that the war to suppress rebellion was a failure; as it was in 1868 and in 1872 when upon Grant, the great and silent soldier, the reward of duty well done was fitly conferred; as it was in 1896 and again in 1900 when the people's enthusiastic choice was the beloved McKinley, than whom no purer, no abler man ever fully met the call to high duty; and as it was in 1904, when, by the largest popular vote and plurality, Theodore Roosevelt was elected President of the United States and the policies which he had advocated and the work he had accomplished were popularly indorsed.

I have stated that the choice is as easy and the duty is as clear now as it was at the critical and important periods in our history I have named. I think this

statement is not an exaggerated one and I believe that you will agree with me, if you will seriously consider the real nature and far-reaching consequences of some of the issues now involved, that no more staggering blow could be dealt the cause of good government than to repudiate the work of the Republican Party by the rejection of its pre-eminently qualified choice for the continuance of the constructive policies to which the party has committed itself and, by the acceptance of the opposing candidate, to approve the political and economic theories he advances.

No country in modern times at an important period in its history has been so nearly dominated and controlled by a political party as the United States has been by the Republican Party during the last half century. Within that period it has met the demands of humanity and the

responsibilities of legislation and administration unassisted and unaffected for the most of the time, as a dominant party often is, by any cohesive, consistent and intelligent opposition. The party has been practically free to deal with the problems of these years as its conscience, its patriotism and its intelligence guided it, and I believe it is true that during no similar period in the history of any country has more been accomplished to effect the real purposes of human government than stands to the credit of the Republican Party in Nation and State, and that at no period has its service to the people been more conspicuous for the people's good than during the last ten years.

Within these years and under Republican control we have added to our glory as a nation by our assumption and creditable discharge of wider international obligations

and by our generous humanity and charity towards the downtrodden, helpless and unfortunate people of other lands. No finer page has appeared in the annals of Nations than the one recording our conduct towards Cuba, China and the Philippines. Within these years we have responded quickly, intelligently and safely to the demands of the new century for more justice, more tolerance, more equity and equality of opportunity among men.

Within these years, under the inspiring leadership of one who so fully respected and appreciated a sound national tradition that he voluntarily and cheerfully rejected a certain opportunity to continue his great constructive labors, the value of American citizenship has been enhanced, the privilege of American opportunity has been equalized and the unfair and oppressive methods that marred the splendid development of

American prosperity have been corrected. These results were attained through sound legislation, enlightened judicial decision and, where the evils lay beyond the corrective functions of government, by relentless exposure and stirring appeal to the ethical sense of the world.

Within these years, as the result of Republican statesmanship and unrelenting insistence, it has been finally and forever settled that through no human device can the plenary control of Congress in respect to the regulation of commerce between the States be evaded; and basing further advance upon this victory, the party moved on to the accomplishment of an effective system of railroad regulation having for its cornerstone the equitable proposition that upon the highways of commerce all men should be equal and should be afforded equality of opportunity upon equal and

reasonable terms; and including within its detail provision that all articles of interstate commerce and all persons and instrumentalities connected with their movement shall be under Federal control from the moment of time they are separated from the body of the property of the State of consignment until they shall reach their destination in another State and become mingled with and a part of the body of the property of such State.

Within these years it became possible, under the broad interpretation of the Federal power claimed by the Republican Party and sustained by the courts, to do much for that great and important body of our citizenship, the employees of the railroads; whereupon the safety appliance law, having for its purpose the protection of lives and limbs of railroad workmen, was enacted. This law in both its origi-

nal and extended form was a Republican measure, and its constitutionality was sustained by the Supreme Court through the intervention by a Republican Attorney-General to assist a brakeman in his claim for damages.

This decision made easy the steps subsequently taken to further ameliorate the condition of railroad labor by limiting the hours within which men could be consecutively employed and by the law extending the liability of railroads and other carriers to cases not theretofore covered by any law an injured workmen could invoke.

I might continue, with almost infinite detail, the recital of the splendid accomplishments of the party in the furtherance of enlightened and progressive domestic and foreign policies were it necessary to do so; but it is not, as the record is a familiar book whose pages disclose a broad humanity



and sound statesmanship in its handling of the profound problems of government from the day of the party's first stand for human freedom to its last work of ameliorating, improving and equalizing human conditions.

To the judgment and courage of the Republican Party, moving on undisturbed by Democratic help or hindrance, are due most that has been proposed and all that has been accomplished in the splendid advance in American conditions; achieved without perilous domestic disturbance or diplomatic entanglements, and in such a way as to preserve our honor and keep the peace with the world.

Brilliant and inspiring as the party's history reads, it does not rest its confident appeal for approval and support upon its record. We cite its good deeds well performed as an evidence of its ability and willingness to keep its promises for the

future. If continued in power it will meet the demands of the present and the future as a party of progress, experience and conscience should, unaffected by wild passions and untenable theories. It will, as in the past, make its utmost endeavor to preserve and maintain in all their strength, independence and glory, the institutions of government as ordained and established by the people of the United States. It will continue to build and expand upon the immutable foundation of human equality without which no government can endure, no party exist.

The party will hold to Lincoln's rule that "the highest function of statesmanship is by degrees to accommodate the conduct of communities to ethical laws and to subordinate the conflicting self-interests of the day to higher and more permanent concerns," remembering that "it is on the

understanding and not on the sentiment of a nation that all safe legislation must be based; for the impracticable, however theoretically enticing, is always politically unwise, sound statesmanship being the application of that prudence to the public business which is the safest guide in that of private men."

I have endeavored thus far to indicate in general terms some of the things accomplished by the Republican Party in the past which you are asked to reject by withholding approval of the present Republican administration of the government.

I say you are asked to reject the work of the party because no exception can be taken to the personality of our candidates. They represent poise, dignity, moderation, ability and experience in all the intricacies of our complex government.

If you reject them, what are you asked to accept and affirmatively approve? In lieu of Mr. Taft and his sound record of normality, frankness and great public usefulness you are asked to accept Mr. Bryan with his vagaries, his inexperience and his disingenuous efforts to fool the American people with phrases.

Primarily you are seriously asked to believe that the all-important question to be settled in this campaign is "Shall the people rule?" A question that was settled through misery and starvation at Valley Forge, through glorious victory at Yorktown, and confirmed upon the bloody field of Gettysburg.

No pretense could be less candid or more demagogic than the assertion that such an issue is in this campaign. It is intended to mislead the shallow thinker and to be made plausible through vociferation and invective.

Although the absurdity of this specious and pretentious claim that we are now to decide if the people shall rule has been most thoroughly exposed by Mr. Taft and others, I beg to add a word to indicate how it addresses itself to my judgment.

Let us do Mr. Bryan no injustice. Let us first ascertain if this alleged issue is with him a rhetorical flourish or advanced as a matter of substance.

In his speech of acceptance Mr. Bryan says the "overshadowing issue which manifests itself in all the questions now under discussion is, Shall the people rule." This, as he has frequently reiterated since, is the dominating issue of this campaign. Now what can this possibly mean? Shall the people rule? This is a curious question to ask anywhere in the civilized world in the twentieth century and an especially curious one to ask here in this year of the

independence of the United States of America.

Who are the people to whom he refers and what is their relation to our government and its administration? Obviously by the people of a representative government we mean a majority of the people. It was the representatives of a majority of the people who framed the Constitution and proclaimed the birth of this nation in these noble words, "We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution of the United States of America."

I cannot more accurately describe the relation the people thus established be-

tween themselves and their government than in Mr. Bryan's own words quoted from the speech to which I have referred. The people, he says, "think for themselves and select officials to carry out their wishes. The voters are the sovereigns, the officials are the servants employed for a fixed time and at a stated salary to do what the sovereigns want done and to do it in the way the sovereigns want it done."

This is admirably and accurately stated, there is no difficulty in understanding it and there is no doubt about it. Mr. Bryan then proceeds to tell us what it is the people demand. What it is they must have. Here he substitutes himself for the people. Here he forgets his own words that "the people think for themselves and select officials to carry out their wishes"; forgets the history of his own political

career; forgets that every time he has offered himself and his complainings to the people they have rejected them both and forgets that at the last opportunity the people had to express their wishes as to national policies they approved the Republican administration of the government under President Roosevelt, the continuance of which under Mr. Taft is the real issue of this campaign, by a plurality of two and one-half million votes.

I think that Mr. Bryan may rest entirely satisfied that the people will continue to rule in the future as they have in the past. I believe they understand what is for their own good and I believe moreover that there is no proposition of economics or politics fairly stated and not purposely confused but will receive a sounder solution at the polls than in any convention or gathering of politicians. No better illustration of



this can be given than to refer to 1896 and the disposition made at the polls of the preposterous silver proposition Mr. Bryan tried to force on the country and upon which all sorts of trimming was done by all sorts of statesmen before it got up to the people.

The people will only cease to rule in the true sense and according to their own sober judgment when they are persuaded that the worst is the better part, a feat said to be within the sophist's power but fortunately never yet accomplished with the majority of the American people.

Having thus referred to what Mr. Bryan characterizes as the paramount issue of the campaign and having seen what a hollow sham it is, let us next consider his views upon certain political and economic policies he advocates and to which he pins his political chances and which you

are asked to accept and approve as against the Republican record.

Mr. Bryan's conception that the main issue is, "Shall the people rule," is as we have seen a harmless delusion and not likely to impress anyone seriously.

His fixed views, however, upon specific national policies is a matter of grave concern and require sober consideration.

Colonel Henry Watterson, now ardently supporting Mr. Bryan's candidacy, said of him in 1896:—

"Men like Bryan are agitators, rabblers and spellbinders; but no man would trust them at the head of an ordinary business to manage its executive affairs, much less at the head of a great nation. To elect him would mean repudiation, anarchy, and national and social ruin." "The

fierce light that beats upon a presidential candidate is bringing out the weaknesses and absurdities of Mr. Bryan's public career with a vengeance. No matter under what guise he presents his views on government policies, the same communistic principles are always apparent."

These are strong words from a strong man. They are words I would not care to use unless fully justified by facts. It is true they were spoken in 1896. Were they true then? Upon what did Mr. Watterson predicate them? Are they true now? Does Mr. Bryan entertain the same views on governmental policies as he then entertained and has he added to his stock of "weaknesses and absurdities"? These questions go to the heart of the pending controversy and I will not undertake to

answer them by any deductions of my own but with the words of his own mouth and from the pens of those who support him.

As to whether we are dealing with the same Mr. Bryan now, in his attitude towards governmental policies, let me first quote his language used on the 12th of July, 1906, in an address in the city of London. He then and there said :—

"I notice that I am now described by some as a conservative. In one sense I always have been a conservative. The Democratic policies are conservative in that they embody old principles applied to new conditions.

"If, however, by the word conservative they mean that I have changed my positions on any public question or moderated my opposition

to corporate aggrandizement they have a surprise waiting for them. I am more radical than I was in 1896 and have nothing to withdraw on economic questions which have been under discussion."

In these words, ten years after the people had repudiated him and his policies at the polls, Mr. Bryan announces his unchanged attitude.

Much light is thrown upon the meaning of the expression "I am more radical than I was in 1896 and have nothing to withdraw on economic questions which have been under discussion" by referring to his candid warning to the electorate prior to the national election in 1896, when he said at Knoxville, Tenn.:—

"If there is any one who believes that the gold standard is a good

thing or that it must be maintained, I warn him not to cast his vote for me, because I promise him that it will not be maintained in this country longer than I am able to get rid of it."

Mr. Bryan's declaration of an unaltered mind and purpose upon governmental policies covers his position upon the currency as well as that upon the coinage. As to the one he was and is a Greenbacker. As to the other he was and is favorable to the free and unlimited coinage of silver upon the basis of 16 to 1 of gold. This declaration likewise covers his position upon the protective tariff which he has denounced as "the most vicious political principle that has ever cursed this country," taking great pains to point out that the degree of protection has nothing to do with his views;

that not even just so much protection as would keep the American wage upon a living basis would he concede. It is the principle of protecting ourselves for any reason by any tariff, however moderate, that he assails. "A tariff," he says, "of ten per cent. levied *purposely for protection*, is, as far as the principle is concerned, just as indefensible as a tariff of a thousand per cent."

Need I comment upon the monstrous national folly it would be to impose upon a man holding such views the duties of an administration during which our tariff laws are to be revised? Inevitably, if he were true to his oft avowed principles, he would use his power and place to abolish all protective duties at once and thereby precipitate panic and distress, otherwise he would temporize with what he calls a vicious principle that curses his country.

Before referring to the new and additional economic heresies embraced by Mr. Bryan for the purposes of this campaign let me give you another view of Bryan and Bryanism from another of his supporters.

The New York World, in an article on the "Development of Bryanism, Democracy, Populism and Socialism," published as an address to Mr. Bryan, last February, said:—

"No review of your leadership of the Democratic party would be just or adequate, Mr. Bryan, which did not uncover the sources of your political policies and principles.

"Your first notable appearance in public life was in 1890, when you were elected to Congress from Nebraska in the popular uprising against the McKinley tariff. At that time, we believe, you were an ardent free trader, and you were also a believer



in the free and unlimited coinage of silver at the ratio of 16 to 1, which was then more or less of an academic issue in spite of a growing agitation.

"We find that the Populist national platform of the year 1892, when you voted the Weaver ticket, defined the following articles of faith:—

"(1) Government ownership and operation of all railroads.

"(2) The free and unlimited coinage of silver at the ratio of 16 to 1.

"(3) Inflation of greenback circulation.

"(4) Government ownership and operation of all telegraph and telephone lines.

"(5) Restriction of immigration.

"(6) The initiative and referendum.

"(7) The election of United States Senators by direct vote of the people.

"This platform also expressed the belief that the nation had been 'brought to the verge of moral, political, and material ruin;' that legislatures, Congresses, and courts were corrupt; that the press was subsidized; that there were only two classes in the country, tramps and millionaires, and that both the old parties were keeping up a fictitious hostility in order to hoodwink the people for the profit of the money changers.

"The political alliance which you helped to form that year in Nebraska has since been made permanent, the Populists supplying the platform in each campaign and the Democrats the votes."

"In 1897 the Democrats condemned United States judges who interfered with

lawless strikers. In 1898 they demanded the abolition of banks of issue and the prohibition of private contracts for the payment of gold. In 1899 they indorsed everything contained in the Populistic platform of 1892 and the Democratic-Populistic platforms of 1896. In 1900 they reaffirmed all that had gone before, added a denunciation of Government by injunction, and favored municipal ownership and the referendum.

"In 1907 they made a new assault on the Federal Courts under pretense of defending State rights. As you drafted that plank, Mr. Bryan, you will doubtless thank us for reproducing it.

"Believing with Jefferson in 'the support of the State governments in all their rights and the most competent administrations for our domestic concerns as the surest bulwark against anti-Republican ten-

dencies,' and in 'the preservation of the Federal Government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad,' we are opposed to the centralization implied in the suggestions now frequently made that the powers of the General Government should be extended by judicial construction. While we favor the exercise by the General Government of all its constitutional authority for the prevention of monopoly and the regulation of interstate commerce, we insist that Federal remedies shall be added to and not substituted for State remedies."

"Stripped of its verbiage, this means neither more nor less than that when a State legislature has passed a railroad-rate law the Federal courts must not suspend the act by writs of injunction preparatory to determining whether or not the statute is

in conflict with the Constitution of the United States. Thus your new State rights, Mr. Bryan, is really your old 'government by injunction' issue under an alias."

"A man of your ability and address, Mr. Bryan, cannot forever assail constitutions, courts, law, wealth, property, credit, national honor, and private faith without building up a following which will have to be reckoned with some time. He can not forever inflame social discontent without creating class hatreds and sowing the seeds of a class war."

"If you, Mr. Bryan, and the Chicago Convention had been right, your overthrow at the polls in November, 1896, should have been followed by continued depression and disaster. You foretold them both."

"As a matter of fact, the votes by which you were condemned had hardly been counted when there were signs of

business revival, and in an incredibly short space of time the change for the better had become so pronounced that complaint practically ceased, agitation was abandoned, and the sporadic orator of calamity was greeted with derision."

"Never before in the history of the world was there so sudden and so complete a restoration of confidence and a revival of industry and commerce. Never before was there so convincing a demonstration of the truth, long known, that the surest way to destroy prosperity is to debase the currency, and the most certain way to restore it under such circumstances is to take a firm stand in favor of the best money known to men."

"You and your associates gave your followers to understand that the United States courts were prejudiced in behalf of the rich and powerful—were, in fact, con-

trolled by trusts and corporations—and were deaf to the welfare of the people as a whole. Not only have you appealed to mob passion against Federal courts of justice and threatened to pack the Supreme Court, but you have persistently advocated short terms and popular elections for United States judges in order to make them creatures of popular clamor. We have, therefore, thought proper to indicate here, as briefly as possible, important cases arising since 1896 in which proceedings have been begun or judgment has been entered against the very interests which you charged were privileged."

"The list is instructive in many ways, but in none is it more so than in its complete refutation of the slanders of socialistic demagogism."

"In 1898 the Supreme Court of the United States reversed the circuit court,

southern district of New York, and the circuit court of appeals, and enjoined the Joint Traffic Association from violating the anti-trust law. Thirty-one railroad companies engaged in transportation between Chicago and the Atlantic coast had formed themselves into an association to control competitive traffic and fix rates. By the action of the court it was dissolved."

"In 1899 the Supreme Court sustained the circuit court of appeals, sixth circuit, in the matter of an injunction restraining the operations of the cast-iron pipe trust, which attempted to increase the price of cast-iron pipe by controlling and parceling out the manufacture and sale thereof throughout the several States and Territories to the several companies forming the combination. This is known as the Addystone Pipe case, and it stands as a prec-



edent in all similar proceedings against trusts."

"In 1900 the Supreme Court decided that the inheritance-tax law of 1898 was constitutional. Under this act a legacy to a husband or wife was exempt. Legacies to others paid a tax, which increased as the degree of kinship was more remote, until property passing to strangers in blood paid 5 per cent. To this initial rate a progressive rate according to the value of the legacy was applied. Property valued at \$10,000 or under was exempt. Exceeding \$10,000, but not exceeding \$25,000 the rate was fixed by kinship. The rate increased with the amount, until property exceeding \$1,000,000 was required to pay the rate fixed by kinship multiplied by three. This law was afterwards repealed by Congress, but the court has established the principle

of a graduated inheritance tax for all time."

"In 1900 the Supreme Court sustained the constitutionality of the anti-trust law of Texas, one of the most drastic yet adopted by any of the States. State prosecutions of trusts in Texas have been frequent and determined."

"In 1901 the Supreme Court, in the insular cases, held that the President and his Cabinet officers could not constitutionally govern and make rules and regulations for the Philippines and Porto Rico in time of peace, that power belonging to Congress. These decisions checked a tendency on the part of the Executive to establish military government in our dependencies."

"In 1904 the Supreme Court, having the cases against the beef trust before it, decided:—"

"(1.) Traffic in live stock transported from State to State is interstate commerce, and persons engaged in buying and selling such live stock are engaged in interstate commerce ;"

"(2.) the combination between dealers to suppress all competition in the purchase of live stock is an unlawful restraint of trade ;"

"(3.) the combination between dealers to fix and maintain a uniform price in the sale of meat throughout the country is an unlawful restraint of trade ;"

"(4.) the combination of dealers to obtain preferential railroad rates is an unlawful restraint of trade, and "

"(5.) all combinations suppressing competition fall under the prohibition of the Sherman anti-trust act."

"On the general principles outlined in this great judgment the numerous prosecu-

tions of the beef trust and other combines are now proceeding, although we admit, alas, too slowly."

"In 1904 the Supreme Court affirmed the decree of the circuit court, Minnesota, enjoining the Northern Securities Company from purchasing, acquiring, receiving, holding, voting, or in any manner acting as the owner of any of the shares of stock of the Northern Pacific and Great Northern Railway Companies, and restraining the Northern Securities Company from exercising any control over the corporate acts of said companies. It was held that the Securities Company was formed for the purpose of acquiring a majority of the stock of the two companies in order to effect practically a consolidation by controlling rates and restricting and destroying competition in violation of the Sherman anti-trust law."

"In 1905 the Supreme Court affirmed a decree of the circuit court, northern Illinois, enjoining various great packers in Chicago, commonly known as the 'beef trust,' from carrying out an unlawful conspiracy entered in between themselves and certain railway companies to suppress competition and to create a monopoly in the purchase of live stock and the sale of dressed meats. This injunction is perpetual. On an indictment of these packers for continued violation of law the individuals were dismissed on the ground that they had been granted immunity by giving information to the Department of Commerce and Labor, but the indictments against the corporations were sustained."

"In 1906 the Supreme Court affirmed various judgments of United States Courts in Wisconsin and Minnesota against the General Paper Company, which had been

proceeded against as a trust. After more than two years of litigation the combination was, by the decision of the Supreme Court, finally dissolved."

"In 1906 the Supreme Court decided the celebrated Chicago street railway franchise case in favor of the city and against the traction trust. By bribery and trickery the street railway companies had attempted in 1865 to secure from the Legislature a franchise extension of more than one hundred years, but the law was carelessly drawn, and although it had been sustained below, the Supreme Court held it to be invalid, thus depriving the corporations of so-called 'rights' in the streets which had been capitalized at more than \$100,000,000."

"The notable decisions of the Supreme Court of the United States mentioned above having established the constitution-

ality of the laws most frequently invoked against combinations and mergers in restraint of trade, a great number of prosecutions have been begun in the inferior United States courts, nearly all of which are still pending."

"In many other cases indictments have been found and the guilty corporations convicted and punished."

This is the condemnation passed upon the policies and views of Mr. Bryan by that organ of Democratic principles, the *New York World*.

Now, my fellow citizens, appealing solely to your cold judgment, can you find it possible to support a man contending for such policies and holding such views?

Would you trust a man to revise a protective tariff who is opposed to protection? Would you trust a man to maintain the gold standard, the bottom rock of our national credit, who has declared his aver-

sion to it? Would you trust a man in the world's greatest seat of power whose mixed and fanciful notions of political economy excite the humor of his opponents and the derision of his friends?

Would you trust a man to recast the personnel of the Supreme Court of the United States who has "appealed to mob passion against Federal Courts of Justice and threatened to pack the Supreme Court in the supposed interest of any class of citizens?"

Mr. Gompers, assuming to speak for organized labor, has recently made a violent and sweeping attack upon the entire judiciary of the country, an attack couched in such terms as to include the most upright, honest and broad-minded judges no less than those of narrower mind and more restricted outlook. Mr. Gompers claimed that the convention which nominated Mr. Bryan,



speaking for one of the two great political parties, pledged that party to grant the extreme demands made by him and his fellows in the matter of injunctions in labor cases. Last year, before the House Committee on the Judiciary, Mr. Gompers and his associates clearly formulated these demands, specifying the bill that contained them, refusing all compromise, stating they wished the principle of that bill or nothing. The principle of the bill was simply insisting on a provision that in labor disputes no injunction should issue except to protect a property right, and specifically providing that the right to carry on business of any particular kind or at any particular place or at all should not be held to be a property right. In its second provision it made legal in a labor dispute any act or agreement by or between two or more persons that would not have been

unlawful if done by a single person. In other words this bill legalized blacklisting and boycotting in every form, legalizing, for instance, those forms of the secondary boycott which the Anthracite Coal Commission so unreservedly condemned; while the right to carry on a business was explicitly taken out from under that protection which the law throws over property. These are the provisions to which Mr. Bryan, according to Mr. Gompers, is specifically committed. No accusation against Mr. Bryan's character by his foes could be as grave as this accusation against him by one of his chief supporters. We have a right to ask Mr. Bryan if the statement of Mr. Gompers is true. If it is not, then the support of those labor men who are deluded into following Mr. Gompers in his support of Mr. Bryan has been obtained under false pretenses. If, on the other hand, the statement is true,

then Mr. Bryan stands pledged to a course of policy which represents the enthronement of class privilege in its crudest and most brutal form, and the destruction of one of the most essential functions of the judiciary in all civilized lands.

It is a matter for serious regret that men will continue to deceive their fellows by promises to accomplish the impossible and by assurances that one class of the people can or should receive special privileges under the law not accorded to all.

The greatest enemy of all classes of the American people is the man who teaches that the people are or can be classified for any purposes of government, or the man who denounces the institutions of his country, which were established by the people, and inspires discontent with fundamental and necessary provisions they have made for their government.

The American people have more nearly perfected a representative government than any people of any age. They drew for their material upon the experience of the ages. They rejected tyranny in all its guises and forms and worked out a system that has challenged the admiration and respect of the world. They established a Congress to make the laws, provided for a President and subordinate executive officers to enforce the laws and Courts to interpret the laws and administer justice between man and man.

Each one of these instrumentalities is supreme within its sphere and, except where expressly provided in the Constitution, independent of the other. It is just as impossible, except by constitutional amendment, to change, abridge or enlarge these powers as it is to change anything else the people have ordained in their Constitution.

It is not possible because Congress enacts a foolish or vicious law within its constitutional powers to take away from Congress by legislation any of its legislative powers. It is not possible because a President is guilty of an indiscretion, or worse, to strip the Presidential office by legislation of a part of its executive powers. It is just as impossible because some judge unwisely or viciously abuses his discretion to take away from the courts by legislation any of the judicial power lodged in them by the Constitution.

The courts are an integral and vital part of our Government as they are of every Government. The administration of justice is an essential governmental function. In our system the courts are the balance wheel and check between contending passions and policies. They are the guardians of the peoples' rights and liberties. Pub-

lic sentiment and conviction should loyally support the judicial power, recognize the patriotism and good faith of the courts and maintain their authority and independence. The most certain way to prevent their functions from being degraded and weakened is to keep the courts out of politics and the politicians out of the courts.

Demagogues and agitators who seek power and responsibility for which they are not fitted attack the institutions of government without discrimination. Sometimes it is Congress; sometimes the Executive; sometimes the Courts; but at all times the attack is made in the name of reform.

True reforms are but the expression of advancing civilization. They are gradual and general in their movements; they are consistent with, reconcilable to and dependent upon the normal operations of gov-

ernments through which their benefits are secured to the people.

There is a vast distinction between agitation and reform and one of the tests of that distinction lies in the methods resorted to for their promulgation. Reform is supported by reason, agitation by denunciation. Reform is an expression of the spirit of the people, agitation generally expresses the ambition of the incompetent and uncandid.

I have left myself but little time to consider the additional "weaknesses and absurdities" of Mr. Bryan's political creed as proclaimed by the Democratic platform and own his recent letters and speeches. One would think that enough had been discovered by his Democratic newspaper friends to demonstrate his entire unsoundness and unfitness for the great place to which he has so long aspired. I do, how-

ever, wish to say a word about his proposal to guarantee bank deposits, compared with which government ownership of railroads, inflation of greenback circulation, coinage of silver at the ratio of 16 to 1, and the initiative and referendum look like statesmanship.

The proposition, in plain understandable English, is this: If a national bank in any part of the United States fails to pay its depositors on demand, all the other national banks of the United States must contribute to do so. In other words, if some Cassie Chadwick hypnotises the banking fraternity of some section of the country and borrows from them on false jewels and false and mysterious representations of plutocratic connections all the money the banks have borrowed from the people, and she neglects to return it to the banks and thus disables them from re-



turning it to their depositors, then the wiser bankers of this and other cities who do not lend on that kind of collateral must take the money they have borrowed from you and me as deposits and pay it over to the Chadwick victims who had been trusted as safe bankers.

The proposition is improperly named. It should be promoted as a scheme to insure people against the necessity of using ordinary precaution in selecting places wherein to deposit their funds, and to fix the losses of dishonest and incompetent banking upon those who had nothing to do with trusting the dishonest or incompetent banker for the relief of those who did.

This reverses the rule of common sense as well as of law that where a loss must fall upon one of two innocent people or classes of people it must be borne by the

one through whose act, though an innocent one, the loss came.

What are bank deposits? They are sums of money that the depositor lends to his banker and which his banker agrees to repay to him on demand unless there is some contract for notice. There is not a particle of difference in law between a deposit with a banker and a loan to an individual. Of course it is claimed that there is a difference and I was severely criticised in some sections for disclosing this view in the Senate last Winter, but this criticism was politics. Some editors and orators say the peoples' deposits belong to the people because that sounds well.

The law, however, says they are loans by the people to the bankers and create the relation of debtor and creditor between the bank and the depositor and it is upon

this theory that the affairs of insolvent banks are settled. No man can walk into a suspended bank and lay his hand on a note and say, that is mine, I deposited it. All he can do is to present his claim for his deposit to the receiver and he will get his pro rata of the assets with other creditors of his class. If this indisputable truth were more generally remembered, it might make people a little more careful in selecting the bank to which they loan money.

Now it is proposed that this private contract between banker A and depositor B shall be guaranteed by others who had no hand in making it, no voice in controlling the use of the money, and no responsibility for or check upon the dishonesty or incompetency which caused its loss.

Upon what basis of sense or morals, to say nothing of constitutionality, does

such a proposition rest; and why if bankers are compelled by law to pay other bankers' debts should we stop there and not require all other classes of business to guarantee the debts of the members of their class?

Is there anything particularly sacred about the surplus money a man accumulates and deposits with his banker? It stands upon no higher ground than the claim of the mill worker who has given his labor, his all, not his surplus, to the mill owner who fails to pay him, and yet I hear of no suggestion to compel the mill owners to guarantee each other's pay rolls.

Does it stand upon any higher ground than the debt due to the widow and the orphan by an insolvent insurance company to which for years annual premiums have been paid pinched out of an all too slender income by self denial and sacrifice

to provide against inevitable loss? Yet I have heard of no proposition to make insurance companies guarantee each other's policies.

Is the right to receive back money you have loaned a matter of greater governmental concern than the hope of the farmer to harvest the crop that he has planted and cultivated and expectantly watched? Yet I have heard of no suggestion that the farmers be compelled by law to guarantee each other's crops. So you may run through the whole range of human activities and we find no effort to compel a class to guarantee or insure the contracts and just expectations of its members.

If depositors of any particular section feel that they need protection against their own ability to discriminate between safe and unsafe banks, I recommend to them the

example of the labor unions and other mutual protective organizations. If bankers should feel at any time, as they do not now, that a mutual guarantee of each other's debts promoted their interests you may depend upon it they would accomplish their purpose without legal compulsion.

I am not unkindly disposed towards Mr. Bryan. His personality is engaging, his industry is prodigious, his talents are remarkable, but his statesmanship is hopeless. By his high ambition he has challenged fair and intelligent criticism of what he is, what he believes and of his capabilities and qualifications for the Presidency. It is difficult to moderately express the objections to his policies, and his own friends and supporters have not restrained themselves in this particular. I refrain from further comment upon him as a candidate except to quote the language of the

prophet Hosea who said, "Ephraim is joined to idols; let him alone."

I conclude as I began by urging you to fully consider the import of what you are about to do. The issues of this Campaign present a great opportunity for the people of Pennsylvania to give fresh proof of their patriotism, intelligence and loyalty to the great party of Lincoln, Grant, McKinley, Roosevelt and Taft. Locally let us indorse the splendid administration of Governor Stuart, return to Congress the party's nominees and elect a legislature that will keep in the Senate my modest colleague who, manfully ignoring unjust criticism, has by his arduous, useful and devoted service to the Nation and the State won for himself the hearty goodwill, admiration and respect of right thinking men.











